

117TH CONGRESS  
1ST SESSION

# H. R. 22

To amend the Federal Funding Accountability and Transparency Act of 2006, to require the budget justifications and appropriation requests of agencies be made publicly available.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2021

Mr. QUIGLEY (for himself, Mr. COMER, Ms. NORTON, Mr. FITZPATRICK, Mr. COOPER, Mr. KHANNA, and Mrs. AXNE) introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Federal Funding Accountability and Transparency Act of 2006, to require the budget justifications and appropriation requests of agencies be made publicly available.

1       *Be it enacted by the Senate and House of Representa-  
2       tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Congressional Budget  
5       Justification Transparency Act of 2021”.

1   **SEC. 2. PUBLIC AVAILABILITY OF BUDGET JUSTIFICATIONS**

2                   **AND APPROPRIATION REQUESTS.**

3         (a) IN GENERAL.—Section 3 of the Federal Funding  
4   Accountability and Transparency Act of 2006 (Public Law  
5   109–282; 31 U.S.C. 6101 note) is amended to read as  
6   follows:

7   **“SEC. 3. FULL DISCLOSURE OF FEDERAL FUNDS.**

8         “(a) IN GENERAL.—Not less frequently than monthly  
9   when practicable, and in any event not less frequently than  
10   quarterly, the Secretary (in consultation with the Director  
11   and, with respect to information described in subsection  
12   (b)(2), the head of the applicable agency) shall ensure that  
13   updated information with respect to the information de-  
14   scribed in subsection (b) is posted on the website estab-  
15   lished under section 2.

16         “(b) INFORMATION TO BE POSTED.—

17             “(1) FUNDS.—For any funds made available to  
18   or expended by a Federal agency or component of a  
19   Federal agency, the information to be posted shall  
20   include—

21                 “(A) for each appropriations account, in-  
22   cluding an expired or unexpired appropriations  
23   account, the amount—

24                 “(i) of budget authority appropriated;  
25                 “(ii) that is obligated;  
26                 “(iii) of unobligated balances; and

1                         “(iv) of any other budgetary re-  
2                         sources;

3                         “(B) from which accounts and in what  
4                         amount—

5                         “(i) appropriations are obligated for  
6                         each program activity; and

7                         “(ii) outlays are made for each pro-  
8                         gram activity;

9                         “(C) from which accounts and in what  
10                         amount—

11                         “(i) appropriations are obligated for  
12                         each object class; and

13                         “(ii) outlays are made for each object  
14                         class; and

15                         “(D) for each program activity, the  
16                         amount—

17                         “(i) obligated for each object class;  
18                         and

19                         “(ii) of outlays made for each object  
20                         class.

21                         “(2) BUDGET JUSTIFICATIONS.—

22                         “(A) DEFINITION.—In this paragraph, the  
23                         term ‘budget justification materials’ means the  
24                         annual budget justification materials of an  
25                         agency that are submitted, in conjunction with

1           the budget of the United States Government  
2           submitted under section 1105(a) of title 31,  
3           United States Code, but does not include budg-  
4           et justification materials that are classified.

5           “(B) INFORMATION.—The information to  
6           be posted shall include any budget justification  
7           materials—

8                 “(i) for the second fiscal year begin-  
9                 ning after the date of enactment of this  
10                paragraph, and each fiscal year thereafter;  
11                and

12                 “(ii) to the extent practicable, that  
13                were released for any fiscal year before the  
14                date of enactment of this paragraph.

15           “(C) FORMAT.—Budget justification mate-  
16           rials shall be posted under subparagraph (B)—

17                 “(i) as an open Government data  
18                asset (as defined under section 3502 of  
19                title 44, United States Code);

20                 “(ii) in a manner that enables users  
21                to download individual reports, download  
22                all reports in bulk, and download in bulk  
23                the results of a search, to the extent prac-  
24                ticable; and

1                         “(iii) in a structured data format, to  
2                         the extent practicable.

3                         “(D) DEADLINE.—The budget justification  
4                         materials required to be posted under subparagraph  
5                         (B)(i) shall be posted not later than 2  
6                         weeks after the date on which the budget jus-  
7                         tification materials are first submitted to Con-  
8                         gress.

9                         “(E) RULE OF CONSTRUCTION.—Nothing  
10                         in this paragraph shall be construed to author-  
11                         ize an agency to destroy any budget justifica-  
12                         tion materials relating to a fiscal year before  
13                         the fiscal year described in subparagraph  
14                         (B)(i).”.

15                         (b) INFORMATION REGARDING AGENCY BUDGET  
16                         JUSTIFICATIONS.—Section 1105 of title 31, United States  
17                         Code, is amended by adding at the end the following:

18                         “(i)(1) The Director of the Office of Management  
19                         and Budget shall make publicly available on a website, and  
20                         continuously update, a tabular list for each fiscal year of  
21                         each agency that submits budget justification materials,  
22                         which shall include—

23                         “(A) the name of the agency;

24                         “(B) a unique identifier that identifies the  
25                         agency;

1           “(C) to the extent practicable, the date on  
2 which the budget justification materials of the agen-  
3 cy are first submitted to Congress;

4           “(D) the date on which the budget justification  
5 materials of the agency are posted online under sec-  
6 tion 3 of the Federal Funding Accountability and  
7 Transparency Act of 2006;

8           “(E) the uniform resource locator where the  
9 budget justification materials are published on the  
10 website of the agency; and

11          “(F) a single data set that contains the infor-  
12 mation described in subparagraphs (A) through (E)  
13 with respect to the agency for all fiscal years for  
14 which budget justifications of the agency are made  
15 available under section 3 of the Federal Funding Ac-  
16 countability and Transparency Act of 2006 in a  
17 structured data format.

18          “(2)(A) Each agency that submits budget justifica-  
19 tion materials shall make the materials available on the  
20 website of the agency, in accordance with the policies es-  
21 tablished by the Director of the Office of Management and  
22 Budget under subparagraph (B).

23          “(B) The Director of the Office of Management and  
24 Budget, in consultation with the Secretary of the Treas-  
25 ury, shall establish policies for agencies relating to making

1 available materials under subparagraph (A), which shall  
2 include guidelines for making budget justification mate-  
3 rials available in a format aligned with the requirements  
4 of section 3(b)(2)(C) of the Federal Funding Account-  
5 ability and Transparency Act of 2006 and using a uniform  
6 resource locator that is in a consistent format across agen-  
7 cies and is descriptive, memorable, and pronounceable,  
8 such as the format of ‘agencyname.gov/budget’.

9       “(C) If the Director of the Office of Management and  
10 Budget maintains a public website that contains the budg-  
11 et of the United States Government submitted under sub-  
12 section (a) and any related materials, such website shall  
13 also contain a link to the tabular list required under para-  
14 graph (1).

15       “(3) In this subsection, the term ‘budget justification  
16 materials’ has the meaning given that term in section 3  
17 of the Federal Funding Accountability and Transparency  
18 Act of 2006.”.

19 **SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

20       The budgetary effects of this Act, for the purpose of  
21 complying with the Statutory Pay-As-You-Go Act of 2010,  
22 shall be determined by reference to the latest statement  
23 titled “Budgetary Effects of PAYGO Legislation” for this  
24 Act, submitted for printing in the Congressional Record  
25 by the Chairman of the House Budget Committee, pro-

1 vided that such statement has been submitted prior to the  
2 vote on passage.

